

Monday, June 18, 2012

10th Court of Appeals Clerk
MCLENNAN COUNTY
COURTHOUSE
501 WASHINGTON AVE., RM 415
Waco, TX 76701

272nd District Court Presiding Judge
300 E 26th St, Ste 204
Bryan, TX 77803

District Attorney Brazos County
William R. Turner
300 E 26TH SUITE 310
Bryan, TX 77803

District Clerk Brazos County
Mark Hamlin
300 E. 26th Street, Suite 216
Bryan, TX 77803

Richard E. Wetzel
1411 West Ave.
Suite 100
Austin, TX 78701

RE: Case No. PD-0159-12
COA No. 10-10-00297-CR

Style: BAIRD, GREGG

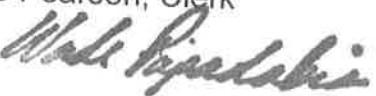
Dear Counsel:

The Appellant's motion for extension of time within which to file the Appellant's brief is granted. The time for filing the Appellant's brief has been extended to **Monday, July 02, 2012**.

Sincerely yours,

Louise Pearson, Clerk

By: _____


Deputy

SCANNED
(CCA)

JUN 18 2012

WP

JUN 18 2012

No. PD-0159-12

Louise Pearson, Clerk

IN THE TEXAS COURT OF CRIMINAL APPEALS
AT AUSTIN

GREGG CARL BAIRD, Appellant

v.

THE STATE OF TEXAS

**MOTION FOR EXTENSION OF TIME TO FILE APPELLANT'S BRIEF
ON PETITION FOR DISCRETIONARY REVIEW**

**TO THE HONORABLE JUDGES OF THE TEXAS COURT OF CRIMINAL
APPEALS:**

Comes now, Gregg Carl Baird, appellant in the above styled and numbered cause and files this motion for extension of time to file appellant's brief on petition for discretionary review and would show the following:

I.

On May 16, 2012, the Court granted appellant's petition for discretionary review. Appellant's brief is due on June 15, 2012.

II.

Appellant seeks a thirty (30) day extension in which to file his brief on petition for discretionary review, up to and including, Monday, July 16, 2012.

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COURT OF CRIMINAL APPEALS

JUN 15 2012

Louise Pearson, Clerk

III.

This request is based on the following facts which prevent counsel for appellant from preparing the brief on petition for discretionary review by the current deadline:

Since the petition was granted by this Court, counsel filed an appellant's brief in *Peck v. State* in the Tenth Court of Appeals, an appellant's reply brief in *Ex parte Nguyen* in the Third Court of Appeals, an appellant's brief in *Sheldon v. State* in the Tenth Court of Appeals, and an appellant's brief in *United States v. Ramos* in the United States Court of Appeals for the Fifth Circuit. Counsel testified as an expert witness on June 6, 2012, in the 272nd District Court of Brazos County. Counsel presented oral argument in *Flores v. State*, a capital murder conviction, in the Eleventh Court of Appeals on June 14, 2012. Counsel will not have an adequate opportunity to review the record, review the briefs, review the opinion, conduct legal research, and prepare the brief on petition for discretionary review by the current deadline of June 15, 2012.

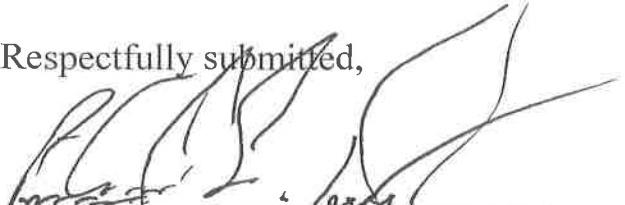
V.

No previous extensions have been sought or granted to file appellant's brief on petition for discretionary review.

PRAYER

Appellant requests this Court grant the motion and extend the time to file his brief on petition for discretionary review by 30 days, up to and including, Monday, July 16, 2012.

Respectfully submitted,


Richard E. Wetzel
State Bar No. 21236300

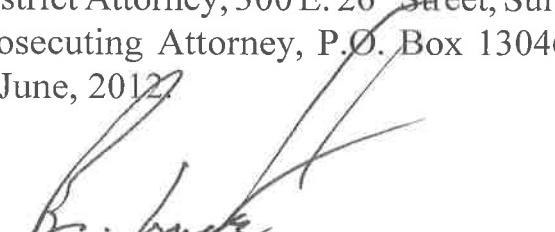
1411 West Avenue, Suite 100
Austin, Texas 78701

(512) 469-7943
(512) 474-5594 - facsimile

Attorney for Appellant
Gregg Carl Baird

CERTIFICATE OF SERVICE

This is to certify a true and correct copy of this Motion for Extension of Time to File Appellant's Brief on Petition for Discretionary Review was mailed to Counsel for the State of Texas, Jeff Garon, Assistant District Attorney, 300 E. 26th Street, Suite 310, Bryan, Texas, 77803, and the State Prosecuting Attorney, P.O. Box 13046, Austin, Texas, 78711, on this the 15th day of June, 2012.


Richard E. Wetzel